

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ERICA TIERNEY and ANDRIS
STRAUTINS, individually and on behalf of
all others similarly situated,

Plaintiffs,

V.

ADVOCATE HEALTH AND HOSPITALS
CORP., a/k/a ADVOCATE MEDICAL
GROUP, an Illinois corporation,

Defendant.

Case No. 13-cv-06237

Judge Charles R. Norgle

ADVOCATE MEDICAL GROUP'S MOTION TO DISMISS

Defendant Advocate Health and Hospitals Corp. a/k/a Advocate Medical Group (“Advocate”) respectfully requests that the Court enter an order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing plaintiffs’ Complaint with prejudice because it fails to state a claim upon which relief can be granted.

The grounds for this motion are set forth in the attached memorandum in support, which is filed herewith.

Dated: November 4, 2013

Respectfully submitted,

/s/ Daniel R. Warren

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CERTIFICATE OF SERVICE

I certify that on the 4th day of November, 2013, the foregoing **ADVOCATE MEDICAL GROUP'S MOTION TO DISMISS** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Daniel R. Warren
One of the attorneys for the
Defendant